

**Before the
Federal Communications Commission
Washington, D.C. 20554**

RECEIVED

APR 22 1996

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments, FM Broadcast
Stations, to Allocate Channel 256A
to Barron, Wisconsin

MM Docket No. 96-15
RM-8748

TO: Chief, Allocations Branch

DOCKET FILE COPY ORIGINAL

COMMENTS AND COUNTERPROPOSAL OF RED CEDAR BROADCASTERS, INC.

Red Cedar Broadcasters, Inc. ("Red Cedar"), the licensee of AM Broadcast Station WAQE and FM Broadcast Station WAQE-FM, Rice Lake, Wisconsin, hereby respectfully opposes the proposal set forth in the Notice of Proposed Rule Making in this proceeding to allocate Channel 256A to the community of Barron, Wisconsin. Instead and in lieu thereof, Red Cedar respectfully requests the Commission to allocate Channel 249A to the community of Barron, Wisconsin; to substitute Channel 256C2 for Channel 249C3 at Rice Lake, Wisconsin; and to issue an order modifying the license of Station WAQE-FM, Rice Lake, Wisconsin, to specify operation as a Class C2 facility on Channel 256. In support thereof, it is alleged:

1. On January 23, 1996, Barron Broadcasting Corporation, acting through its principal, Steven T. Moravec, filed a petition

No. of Copies received _____
Listed as _____

25

for rule making to assign Channel 256A to the community of Barron, Wisconsin. Barron is a small community of less than 3,000 persons and the petitioner's request was apparently cognizant of that fact because it requested only a Class A allotment.

2. Barron is situated approximately eight miles south of Rice Lake, Wisconsin, a community of 7,998 persons (1990 Census). Red Cedar operates an AM station in Rice Lake, WAQE(AM), and an FM station, WAQE-FM. At present, WAQE-FM is limited to Class C3 facilities.

3. Red Cedar has commissioned an engineer to study the proposal made by Barron Broadcasting Corporation. A statement from that engineer, Alan E. Gearing, P.E., an associate with the firm of Mullaney Engineering, Inc., is attached and marked Exhibit A. It shows that Channel 249, the channel currently utilized by WAQE-FM, can be allocated to the community of Barron, Wisconsin, as a Class A facility in full conformity with the requirements of the Commission's Rules. At the same time, Channel 256 can be allocated to Rice Lake, Wisconsin. That would allow Station WAQE-FM to upgrade its facility at Rice Lake from a Class C3 facility to a Class C2 facility.

4. The following table illustrates the changes proposed by Red Cedar:

	Present	Proposed
Barron, WI.	---	249A
Rice Lake, WI.	249C3	256C2

5. Red Cedar affirmatively proposes, therefore, that the allotment at Rice Lake, Wisconsin, be changed from Channel 249 to Channel 256; that Red Cedar's license for Station WAQE-FM be modified to specify operation on Channel 256 as a Class C2 facility; and that the channel currently used by Station WAQE-FM, i.e., Channel 249, be allotted to Barron, Wisconsin, as a Class A facility. Red Cedar's counterproposal will better serve the public interest than the proposal submitted by the original proponent. It will still enable Barron to have a first local FM service but, at the same time, it will allow WAQE-FM, which is situated in the larger community of Rice Lake, to improve and expand its facilities from Class C3 facilities to Class C2 facilities.

WHEREFORE, it is respectfully requested that the Commission allocate Channel 249A to the community of Barron, Wisconsin; substitute Channel 256C2 for Channel 249C3 at Rice Lake, Wisconsin; and issue an order modifying the license of Station WAQE-FM, Rice Lake, Wisconsin, to specify operation as a Class C2 facility on Channel 256.

April 22, 1996

Law Office of
LAUREN A. COLBY
P.O. Box 113
10 E. Fourth Street
Frederick, MD 21705-0113

Respectfully submitted,

RED CEDAR BROADCASTERS, INC.

By: 

Lauren A. Colby
Its Attorney

EXHIBIT A

JOHN J. MULLANEY
JOHN H. MULLANEY, P.E. (1994)

R. MORGAN BURROW, JR., P.E.
ALAN E. GEARING, P.E.

301 921-0115 Voice
301 590-9757 Fax
mullengr@aol.com E-mail

MULLANEY ENGINEERING, INC.

9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877

ENGINEERING STATEMENT:

**STATION WAQE-FM
RED CEDAR BROADCASTERS, INC.
RICE LAKE, WISCONSIN**

CH 249C3 18.5 kW 88 Meters

17 APRIL 1996

ENGINEERING STATEMENT
IN SUPPORT OF
COMMENTS AND COUNTERPROPOSAL
MM DOCKET NO. 96-15 (RM-8748)

**ORIGINAL
SIGNATURE**

MULLANEY ENGINEERING, INC.

**ENGINEERING STATEMENT
IN SUPPORT OF
COMMENTS AND COUNTERPROPOSAL
MM DOCKET NO. 96-15 (RM-8748)**

I, Alan E. Gearing, hereby certify; that I am a senior engineer with the firm of Mullaney Engineering, Inc., consulting telecommunications engineers with offices in Gaithersburg, Maryland; that I am a registered professional engineer in the District of Columbia; that my qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission; that the instant engineering statement was prepared by myself or under my direction; and that the statements contained herein are true of my own personal knowledge except those stated to be on information and belief, and as to those statements I verily believe them to be true and correct.

The firm of Mullaney Engineering, Inc., has been retained by Red Cedar Broadcasters, Inc. ("Red Cedar"), licensee of FM Broadcast Station WAQE-FM, Channel 249C3, Rice Lake, Wisconsin, to prepare the instant engineering statement (and accompanying tables and figure) in support of Comments and Counterproposal in MM Docket No. 96-15 (RM-8748). The Notice of Proposed Rulemaking in that proceeding set forth a proposal to allocate Channel 256A to the community of Barron, Wisconsin. Red Cedar proposes that instead Channel 256C2 be substituted for Channel 249C3 at Rice Lake, Wisconsin (for use by WAQE-FM) and Channel 249A be re-allotted to Barron, Wisconsin. This counterproposal not only will result in a new Class A allotment to Barron (as originally proposed) but will also allow Station WAQE-FM to upgrade its operation at Rice Lake from a Class C3 facility to a Class C2 facility. As demonstrated herein, both a Channel 249A allotment to Barron and a Channel

**ENGINEERING STATEMENT
COMMENTS AND COUNTERPROPOSAL
MM DOCKET NO. 96-15 (RM-8748)**

MULLANEY ENGINEERING, INC.

256C2 allotment to Rice Lake would fully meet all allocation requirements of the Commission's Rules.

Table 1 shows the results of an allocation study on Channel 249A at an assumed site with geographic coordinates of

45° 29' 00" North Latitude
91° 49' 30" West Longitude.

This site is located 9.3 kilometers from Barron at a bearing of 11.6 degrees True. The tabulation shows that, with the exception of the existing operation of WAQE-FM on Channel 249C3, all distance separation requirements are met.

Table 2 shows the results of an allocation study on Channel 256C2 at an assumed site with geographic coordinates of

45° 23' 00" North Latitude
91° 51' 00" West Longitude.

This site is located 16.6 kilometers from Rice Lake at a bearing of 216.0 degrees True. The tabulation shows that, with the exception of the pending proposal to add Channel 249A at Barron, all distance separation requirements are met. (Note: Section 73.208 of the Rules, "Reference points and distance computations", provides that distances shall be rounded to the nearest kilometer. Hence, even though Table 2 indicates that the Channel 256C2 reference site is "short-spaced" by 0.1 kilometer to Station KTCO(FM), Channel 255C1, Duluth, MN, when the rounding provisions of Section 73.208 are applied the "short-spacing" disappears.)

The attached Figure 1 is a map showing the location of the proposed reference sites relative to the proposed allotment communities. Also shown are the nominal locations of the 3.16 mV/m (70 dBu) principal community contours for the two proposals. The contour distances (16.1 kilometers and 32.7 kilometers for Channel 249A and Channel 256C2, respectively) were

**ENGINEERING STATEMENT
COMMENTS AND COUNTERPROPOSAL
MM DOCKET NO. 96-15 (RM-8748)**

MULLANEY ENGINEERING, INC.

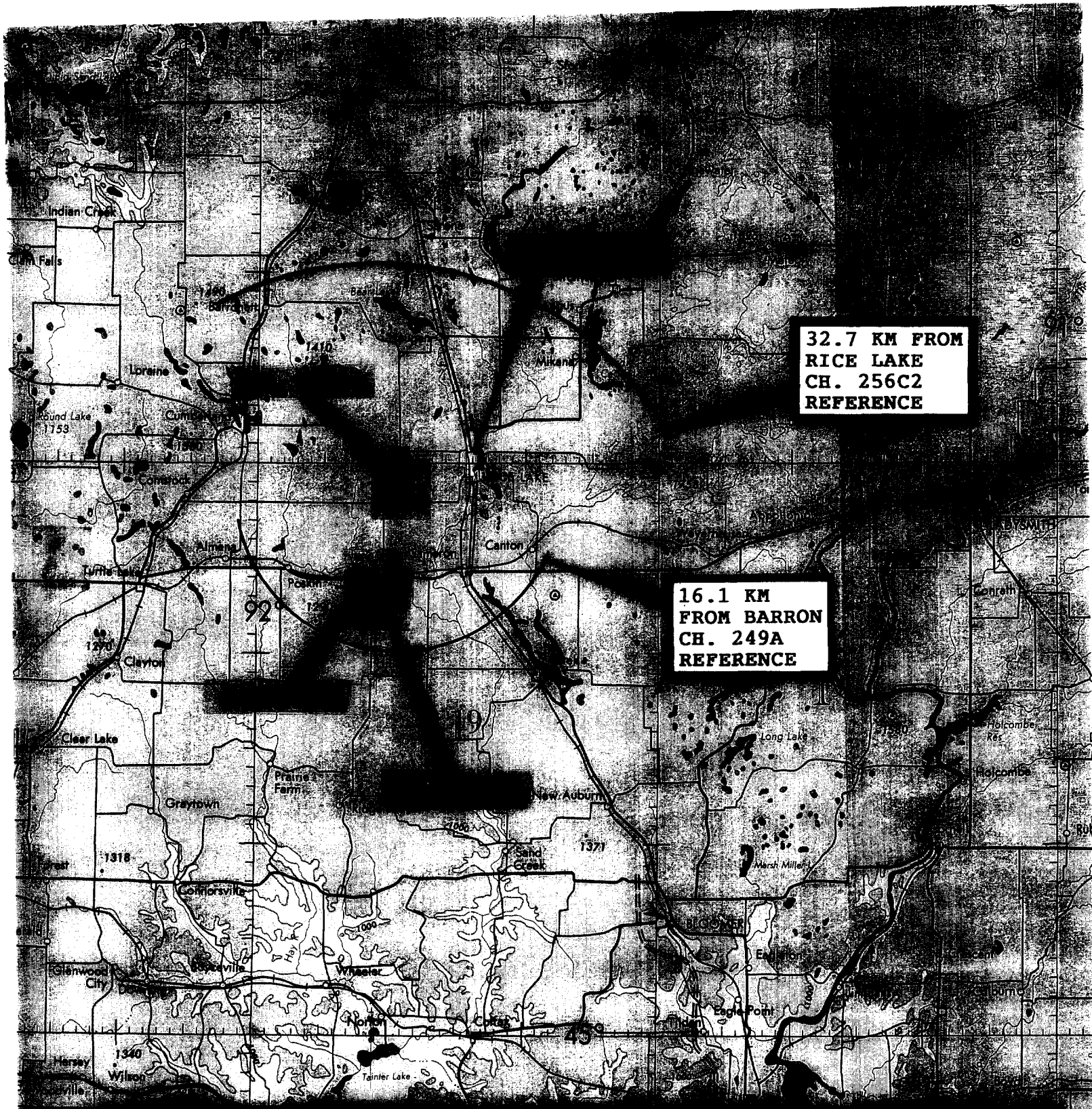
calculated based upon maximum facilities for the class of station proposed (6 kW and 100 meters for Channel 249A; 50 kW and 150 meters for Channel 256C2). The map of Figure 1 clearly shows that both allotment communities are well within the respective principal community contours.

Taken together, the attached tables and figure demonstrate that the proposed allotments of Channel 249A to Barron, Wisconsin and Channel 256C2 to Rice Lake, Wisconsin, fully meet the allocation requirements of the Commission's Rules (see Section 73.208(a)(2)).

A handwritten signature in cursive script that reads "Alan E. Gearing". The signature is written in dark ink and is positioned above a horizontal line.

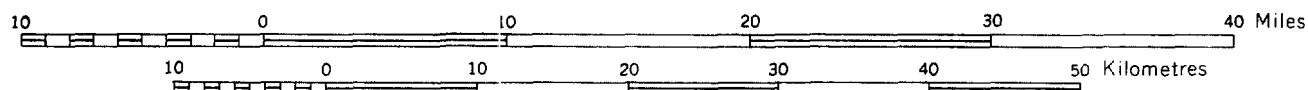
Alan E. Gearing, P.E.

17 April 1996



32.7 KM FROM
RICE LAKE
CH. 256C2
REFERENCE

16.1 KM
FROM BARRON
CH. 249A
REFERENCE



PROPOSED REFERENCE SITES
COUNTERPROPOSAL TO:
MM DOCKET 96-15 (RM-8748)
CHANNEL 249 A - BARRON, WI
CHANNEL 256 C2 - RICELAKE, WI

MULLANEY ENGINEERING, INC.
GAITHERSBURG, MARYLAND

FIGURE 1
APRIL 1996

MULLANEY ENGINEERING, INC.

TABLE 1

FM ALLOCATION STUDY ON CHANNEL 249A AT BARRON, WISCONSIN

LATITUDE: 45.2900 (D.MMSS)
 LONGITUDE: 91.4930 (D.MMSS)

FCC FM STATION DATABASE DATED 960405

 THE CANADIAN BORDER IS 286.0 KM ON A BEARING OF 3.9 DEG. TRUE

AZIMUTH		CALL	STS	FILE NUMBER	CITY	ST C	LAT (D.MMSS)	LONG	REL CHN	ERP (KW)		HAAT D (M) A	DIST (KM)	RSEP (KM)	REZLT
FROM	TO									HORZ	VERT				
245.5	64.6	KTCZFM	LIC	BLH910814KC	Minneapolis	MN A	45.0330	93.0727	3RD 246C	100.H	100.V	315	112.4	95.	
194.4	14.1	KNXR	LIC	BLH860512KF	Rochester	MN A	44.0226	92.2028	1ST 248C	100.H	100.V	317	165.5	165.	C
92.2	274.1	WHDG	LIC	BLH940912KD	Rhineland	WI A	45.2250	89.1122	1ST 248C1	100.H	100.V	168	206.6	133.	
249.3	66.9	KLGRFM	CP	EPH891130IC	Redwood F	MN A	44.3235	95.0757	CD 249C1	60.0H	60.0V	88	280.9	200.	
COMMENTFrom Channel 249A per D88-618															
249.3	66.9	KLGRFM	LIC	BLH6258	Redwood F	MN A	44.3233	95.0757	CD 249A	3.00H	3.00V	91	280.9	115.	
COMMENTTo Channel 249C1 Per D88-618															
38.2	218.2	WAQEFM	LIC	BLH940523KC	Rice Lake	WI A	45.3216	91.4550	CD 249C3	18.5H	18.5V	880	7.7	142.	S
COMMENTAllotment is Class B with respect to Canada															
120.2	301.7	WSPT	LIC	BLH880314KA	Stevens P	WI A	44.3217	89.3543	1ST 250C1	51.0H	51.0V	104	204.8	133.	
120.2	301.7	WSPT	APP	BPH960206IB	Stevens P	WI A	44.3217	89.3543	1ST 250C1	100.H	100.V	103	204.8	133.	
65.2	246.2	WQOM	LIC	BLH950125KC	Park Falls	WI A	45.5504	90.2658	3RD 252C1	57.H	57.V	71	117.5	75.	
COMMENTOne-Step Application From Channel 254C2															

*** NORMAL TERMINATION FM CHANNEL STUDY NO. 1 *** 35 FM RECORDS WERE CONSIDERED, OF WHICH 9 WERE PRINTED ABOVE ***

MULLANEY ENGINEERING, INC.

TABLE 2

FM ALLOCATION STUDY ON CHANNEL 256C2 AT RICE LAKE, WISCONSIN

LATITUDE: 45.2300 (D,MMSS)

LONGITUDE: 91.5100 (D,MMSS)

FCC FM STATION DATABASE DATED 960405

 THE CANADIAN BORDER IS 297.2 KM ON A BEARING OF 4.1 DEG. TRUE

AZIMUTH		CALL	STS	FILE NUMBER	CITY	ST C	LAT (D,MMSS)	LONG	REL CHN	ERP (KW)		HAAT D (M) A	DIST (KM)	RSEP (KM)	REZLT
FROM	TO									HORZ	VERT				
181.4	1.4	WHWC	CP	BPED920302IH	Menomonie	WI A	45.0247	91.5142	IF 202C	100.0	100.0	319D	37.5	35.	C
181.4	1.4	WHWC	LIC	BLED900831KC	Menomonie	WI A	45.0247	91.5142	IF 202C1	20.0	20.0	319	37.5	27.	
250.5	69.6	KTISFM	LIC	BLH910814KI	Minneapolis	MN A	45.0330	93.0727	3RD 253C	100.0	100.0	315	106.4	105.	C
146.6	327.6	WVCX	LIC	BLH880129KE	Tomah	WI A	43.5113	90.2728	1ST 255C	100.0	100.0	302	202.7	188.	
352.6	172.4	KTCO	LIC	BMLH910712KB	Duluth	MN A	46.4730	92.0659	1ST 255C1	100.0	100.0	183	157.9	158.	S
232.5	50.7	KEEFM	LIC	BLH3972	Mankato	MN A	43.5614	94.2441	CD 256C1	100.0	100.0	262	259.0	224.	
352.0	172.0		ADD	RM8748	Barron	WI A	45.2400	91.5112	CD 256A	H	V		1.9	166.	S
COMMENTProposed as Class B1 to Canada 960222 -- Accepted by Canada as **DOCKET**96-15 **															
71.6	253.9	WIKBFM	LIC	BLH890731KD	Iron River	MI A	46.0603	88.3223	CD 256C2	50.0	50.0	150	269.7	190.	
COMMENT*To Channel 256C1 Per One-Step Application 950410IC															
71.6	253.9	WIKBFM	CP	BPH950410IC	Iron River	MI A	46.0603	88.3223	CD 256C1	60.0	60.0	150	269.7	224.	
COMMENTOne-Step Application															
311.9	129.7	KLLZFM	LIC	BLH940302KA	Walker	MN A	47.1242	94.5502	CD 256C1	100.0	100.0	150	311.7	224.	
176.3	356.4	KWDFM	LIC	BLH950130KC	Rushford	MN A	43.5632	91.4309	1ST 257C3	11.0	11.0	151E	160.5	117.	
101.1	282.2	WIGMFM	LIC	BLH911011KC	Medford	WI A	45.0951	90.2028	1ST 257C3	23.0	23.0	104	120.9	117.	C
COMMENTFrom Channel 257A per D89-217															
250.5	69.6	KSJN	LIC	BLH910814KH	Minneapolis	MN A	45.0330	93.0727	2ND 258C	100.0	100.0	315	106.4	105.	C

*** NORMAL TERMINATION FM CHANNEL STUDY NO. 2 *** 49 FM RECORDS WERE CONSIDERED, OF WHICH 13 WERE PRINTED ABOVE ***

CERTIFICATE OF SERVICE

I, Traci Maust, a secretary in the law office of Lauren A. Colby, do hereby certify that copies of the foregoing have been sent via first class, U.S. mail, postage prepaid, this 22nd day of April, 1996, to the office of the following:

Barron Broadcasting Corporation
1707 Sumner Street
Suite 200
St. Paul, MN 55116-2645

Traci Maust
Traci Maust